

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

ANTHONY CANNON,

Case: 2:23-mj-30314

Case No. Assigned To : Unassigned

Assign. Date : 7/28/2023

Description: In Re Sealed Matter

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 19, 2023 and April 26, 2023 in the county of Genesee in the
Eastern District of Michigan, the defendant(s) violated:

Code Section
18 U.S.C. § 922(o)

Offense Description
Illegally possessed a machine gun.

This criminal complaint is based on these facts:

Please see attached affidavit.

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence and/or by
reliable electronic means.

Date: July 28, 2023

City and state: Detroit, MI


Complainant's signature

Todd Monfette, Special Agent, ATF

Printed name and title



Judge's signature

R. STEVEN WHALEN, United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Special Agent Todd Monfette, being first duly sworn, hereby depose and state as follows:

INTRODUCTION & AGENT BACKGROUND

1. I make this affidavit from personal knowledge based on the following: my participation in this investigation, including witnessing interviews by myself and/or other law enforcement officers, communications with others who have personal knowledge of the events and circumstances described herein, and information gathered through my training and experience. The information outlined below is for the limited purpose of obtaining a criminal complaint and an arrest warrant. I have not set forth each and every fact I have learned in this investigation.

2. I have been a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, United States Department of Justice, assigned to the Detroit Field Division since July 2017. I graduated from the Criminal Investigator Training Program and the ATF Special Agent Basic Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. During my employment with ATF, I have conducted and/or participated in numerous criminal investigations involving the possession and use of firearms, drug trafficking violations, criminal street gangs and other violations of federal law.

PURPOSE OF AFFIDAVIT

3. The purpose of this affidavit is to establish probable cause that on or about April 19, 2023, and April 26, 2023, in the Eastern District of Michigan, Anthony CANNON (DOB: XX/XX/1993) violated 18 U.S.C. § 922(o)—illegal possession of a machine gun.

4. Because this affidavit is being submitted for the limited purpose of establishing probable cause for a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth facts that I believe are necessary to establish probable cause of violation of federal criminal offenses, specifically 18 U.S.C. § 922(o).

5. A machine gun conversion kit is commonly referred to as a “switch,” “button”, or “Glock switch” on the street. They are specifically designed for Glock pistols. A Glock switch is a small device that can be attached to the rear of the slide of a Glock handgun, converting the semi-automatic pistol into a machine gun pistol capable of fully automatic fire, that is, automatically shooting more than one shot, without manual reloading, by a single function of the trigger. *See* 18 U.S.C. § 921(a)(24) and 26 U.S.C. § 5845(b). The term machine gun also includes “any part designed and intended solely and exclusively...for use in converting a weapon into a machinegun....” *Id.* Accordingly, the Glock switch itself is a “machine gun.”

PROBABLE CAUSE

6. In April 2023, the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) investigated Anthony CANNON’s illegal possession and sale of machine guns in the city of Flint, within the Eastern District of Michigan.

Controlled Buy One

7. On April 19, 2023, an ATF special agent, acting in an undercover capacity (“UC-1”), conducted a controlled purchase of a machine gun conversion kit from CANNON. The controlled purchase took place on the roadway of Magnolia Lane, in Flint, where CANNON is known to reside.

8. Before the controlled purchase on April 19, 2023, UC-1 made multiple recorded phone calls to Person-1, who informed UC-1 that the machine gun conversion device was available for purchase. Person-1 is CANNON’s known associate and facilitated the transaction for UC-1. Person-1 directed UC-1 to his residence to pick him up to conduct the purchase. On this same day, UC-1 was equipped with audio and video recording devices before traveling to Person-1’s residence.

9. At Person-1’s residence, Person-1 got into UC-1’s car and told UC-1 that the “switch” was at another location. UC-1 and Person-1 then drove to the area of Magnolia and Palmetto Streets. There, Person-1 exited the vehicle and UC-1 lost sight of Person-1 on Magnolia Street.

10. A few minutes later, Person-1 reappeared and was walking down the street with CANNON toward UC-1's car. UC-1 approached the two men on foot. Person-1 then handed UC-1 three pieces that, when put together, make a machine gun conversion kit. UC-1 saw that CANNON had a 30 round rifle magazine protruding from his waistband. UC-1 asked CANNON if he could obtain more "switches" regularly. CANNON replied that he could probably find more, and informed UC-1 that the price of the "switch" was \$450.00. During the transaction, CANNON showed UC-1 a Glock semi-automatic pistol he had hidden in his pant pocket. UC-1 then asked CANNON if the pistol was available for purchase. CANNON replied he did not want to sell it but stated that he had other firearms he would be willing to sell, including an "XD".

11. Person-1 then directed the conversation to CANNON, asking him if he "had anyones that drop in those," referring to the rifle in CANNON's waistband. CANNON said that he could find some and would do so for UC-1. CANNON also told UC-1 that he can buy firearms from the store, and he buys them to "do shit on the street with them anyway." CANNON said this after UC-1 had alluded that the firearms currently being purchased would be used in illegal activities. CANNON is not a prohibited person.

12. UC-1 then provided CANNON with \$450 for the machine gun conversion device, which CANNON accepted and then gave Person-1 a small portion of those funds. UC-1 and Person-1 returned to UC-1's car and departed the area. UC-1 drove Person-1 back to his residence and the controlled purchase was concluded.

13. The suspected machine gun conversion device (MGCD) that UC-1 received was secured at ATF Offices. Special Agent Todd Monfette consulted with the ATF Firearms & Ammunition Technology Division regarding the suspected MGCD, who advised that the device is consistent with known MGCD under the federal definition identified above. The ATF Firearms & Ammunition Technology Division looked at pictures of the device in making its determination. I believe that there is probable cause that this device is a part designed and intended solely and exclusively for use in converting a weapon into a machinegun.

Controlled Buy Two

14. On April 26, 2023, an ATF special agent, acting in an undercover capacity (UC-1), conducted a controlled purchase from CANNON of a machine gun conversion kit for a rifle.

15. Before the controlled purchase on April 26, 2023, UC-1 made multiple recorded phone calls to Person-1, who informed UC-1 that the machine gun conversion device was available for purchase. Person-1 is CANNON's known associate and facilitated the transaction. Person-1 directed UC-1 to his residence to

pick him up to complete the transaction. On this same day, UC-1 was equipped with audio and video recording devices before traveling to Person-1's residence.

16. At Person-1's residence, Person-1 got into UC-1's car and told UC-1 that CANNON had multiple firearms for sale, and they would be going to meet him and another person at a residence in Mount Morris. UC-1 and Person-1 then departed. As they were driving, UC-1 and Person-1 drove past CANNON, who was walking down Magnolia Drive where he resides. They continued past CANNON to a residence in Mount Morris and parked in the driveway. Person-1 entered the residence and, shortly after, CANNON arrived on foot with a rifle visible in his waistband. Moments later, Person-1 emerged from the residence and provided UC-1 with an AK-style pistol and a Glock semi-automatic handgun with an extended magazine. UC-1 examined the AK-style pistol, which UC-1 had been told was a fully automatic rifle. UC-1 did not observe any device that would make the firearm fully automatic and informed Person-1 of this. Person-1, in turn, yelled to CANNON that "he doesn't see that fast piece". In response, CANNON then came outside to UC-1's car and provided Person-1 with a black drop in auto-sear for the AK-style pistol. UC-1 asked if that was the "drop in" to which CANNON nodded yes and held up four fingers indicating it would cost UC-1 \$400 for it.

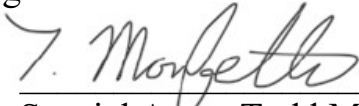
While talking, CANNON told UC-1 that he would have more guns for UC-1 in the future, including a Glock 23 with a machine gun conversion device installed for \$1,200. UC-1 then handed CANNON \$400 for the drop-in-auto sear and an additional \$1,050 to Person-1 and to CANNON for the Glock handgun with the extended magazine.

17. UC-1 and Person-1 the left the residence. UC-1 dropped Person-1 off at his residence and the controlled purchase was concluded.

18. The suspected machine gun conversion device (MGCD) that UC-1 received was secured at ATF Offices. Special Agent Todd Monfette consulted with the ATF Firearms & Ammunition Technology Division regarding the suspected MGCD, who advised that the device is consistent with known MGCD under the federal definition identified above. The ATF Firearms & Ammunition Technology Division looked at pictures of the device in making its determination. I believe that there is probable cause that this device is a part designed and intended solely and exclusively for use in converting a weapon into a machinegun.

CONCLUSION

19. Based upon the above information, probable cause exists to believe that Anthony CANNON illegally possessed a machine gun, in violation of 18 U.S.C. § 922(o). These violations occurred on or about April 19 and April 26, 2023, in the Eastern District of Michigan.



Special Agent Todd Monfette
Bureau of Alcohol, Tobacco, Firearms and Explosives

Subscribed and sworn before me or by reliable electronic

means on July 28, 2023.



HON. R. STEVEN WHALEN
United States Magistrate Judge